

**AGENDA ITEM #10**

March 11, 2005

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Discussion of Possible of Joint Adoption of Joint Resolution with the City of Elk Grove Regarding Inclusion of Lands in the Delta Primary Zone in the "Planning Area" within the City 's General Plan  
(*For Commission Discussion and Possible Action*)

**RECOMMENDATION:**

Review and discuss the attached draft Joint Resolution, and determine if the draft Joint Resolution addressees the concerns of the Commission raised at the May 2004 meeting. If yes, vote to direct the Chairman to sign on behalf of the Commission. If not, direct staff to respond with alternative language or actions.

**BACKGROUND:**

At its meeting in May 2004, the Commission discussed the City of Elk Grove's newly adopted General Plan. The City's General Plan includes lands in the Primary Zone of the Delta that are labeled "Planning Area". The General Plan notes that the City has no jurisdiction over lands outside the City Limits and that any discussion of such lands are purely advisory.

At the May meeting, there was considerable discussion of the role of cities in the Primary Zone, and the role of the City of Elk Grove in the Primary Zone (see attached minutes). The Chairman directed staff to send a letter to the City requesting a meeting to discuss the issues raised at the Commission meeting.

Highlights from the minutes include:

- Concerns that the City's Planning Area overlaps the boundaries of the Cosumnes Preserve.
- Concerns that the City's Planning Area overlaps the boundaries of the Stone Lakes National Wildlife Refuge.
- Suggestion that the City delete from the General Plan any lands in the Primary Zone of the Delta, and that I-5 serve as the western boundary of the City and the City's General Plan.
- Suggestions that the City clarify to the Commission the issues/concerns/possible future land uses for the lands in the Planning Area in the Primary Zone of the Delta.
- Concerns that other cities would designate portions of the Primary Zone as Planning Areas within General Plans.

- From the public, concerns that the City's designation could lead to inflated property values and expectations of landowners to the detriment of agriculture, wildlife habitat, and recreation.

Commissioner McGowan and Ms Aramburu met with the Mayor, the City Counsel, and the Planning Director. At the end of that meeting, Anthony Manzanetti, the City Counsel, agreed to respond to the issues raised by the Commission. Mr. Manzanetti has prepared a Joint Resolution for consideration for adoption by the Commission and the City to address issues of concern.

**JOINT RESOLUTION  
OF THE  
DELTA PROTECTION COMMISSOIN  
AND THE  
CITY OF ELK GROVE**

**WHEREAS**, The California State Legislature has declared that the Sacramento-San Joaquin Delta is a natural resource of statewide, national, and international significance, containing irreplaceable resources, and it is the policy of the state to recognize, preserve, and protect those resources of the delta for the use and enjoyment of current and future generations, and

**WHEREAS**, The Legislature has created the Delta Protection Commission, and

**WHEREAS**, The mission of the Delta Protection Commission (Commission) is to guide the protection of the Delta's unique natural quality, cultural viability, economic vitality, and recreational opportunity through the protection maintenance, and enhancement and restoration of the overall quality of the Delta environment including agriculture, wildlife habitat, and recreational activities; to assure the orderly, balanced conservation and development of Delta land resources; and to guide the improvement of flood protection to ensure an increased level of public health and safety, and

**WHEREAS** the Commission and the City of Elk Grove share a common goal to implement a comprehensive strategy for the preservation of open space, habitat and agriculture, both inside and outside the City's existing city limits.

**WHEREAS**, although not within the current incorporated boundaries of the City of Elk Grove, a portion of the Delta Primary Zone is inside the larger Planning Area of the City's General Plan, and

**WHEREAS**, the City Council of the City of Elk Grove has stated that an important component of the community's vision for the future of Elk Grove is the retention of significant amounts of open space in the Planning Area and has established a policy calling for the creation of a trails system to link the development portions of Elk Grove with these areas, the City, and

**WHEREAS**, the City recognizes that there are many important open space resources in the Planning Area, including the Delta and agricultural areas.

**WHEREAS**, The City views open space lands of all types as important resources which should be preserved in the region, and supports the establishment of multi-purpose open space areas to address a variety of needs, including, but not limited to: Maintenance of agricultural uses, Wildlife habitat, Recreational open space, Aesthetic benefits, and Flood control,

**WHEREAS**, the City's general Plan prohibits urbanization within the 100-year Flood Zone and prohibits alteration of the 100-year Flood Zone boundary, and

**THEREFORE IT IS RESOLVED**, that the City's long-term land use policies will require coordination with the Delta Protection Commission if these lands are ever included within the corporate boundary of Elk Grove.

**IT IS FURTHER RESOLVED**, that the City of Elk Grove will coordinate with the Delta Protection Commission by providing updates on the status of any requests by the City to include any lands in the Primary Zone in the City's sphere of influence or incorporated boundaries.

**IT IS FURTHER RESOLVED**, that prior to the annexation of any land in the Primary Zone of the Legal Delta, the City will ensure that its General Plan is consistent with the Delta Protection Commission's Act and Plan as it affects the area within the Primary Zone.

**IT IS FURTHER RESOLVED**, that for land within the Primary Zone of the territory of Delta Protection Commission, the City's land use and other policies shall conform with the "Land Use and Resource Management Plan for the Primary Zone of the Delta" developed by the Delta Protection Commission.

**IT IS FURTHER RESOLVED**, that the City and the Commission shall work together with other agencies to develop a regional open space plan which provides for multiple uses of open space, e.g., agriculture and wildlife foraging for those areas within the larger Planning Area of the City's General Plan Area and the Primary Zones of the territory of the Commission.

**PASSED AND ADOPTED BY:**

Date: \_\_\_\_\_, 2005

**The City Council of  
The City of Elk Grove**

\_\_\_\_\_  
**Daniel Briggs  
Mayor of the City of Elk Grove**

Approved as to form:

\_\_\_\_\_  
**Anthony Manzanetti,  
City Attorney**

Date: \_\_\_\_\_, 2005

**The Delta  
Protection Commission**

\_\_\_\_\_  
**Mike McGowan  
Chair**

Approved as to form:

\_\_\_\_\_  
**Daniel L. Siegel,  
Supervising Dep. A.G.**

### **Excerpt from May 2004 Minutes**

#### **10. Briefing on the City of Elk Grove General Plan and "Planning Area"**

Chairman McCarty stated that the City of Elk Grove adopted a General Plan and Planning Area for its new city, which includes maps for planning areas and policies outside the city. He said some of the planning areas include lands that are located in the primary area of the Delta.

Ms. Aramburu reported that the new City of Elk Grove, which is located on the edge of the Delta, recently adopted a new general plan. Currently, the City does not include areas of the Primary Zone, therefore the city is not required to submit its plan for Commission review; however, there are lands located in the Primary Zone which are part of the City's Planning Area.

Mr. Eric Norris, Planning Department of the City of Elk Grove reported that the City is outside the Primary and Secondary Zones; however, it has a Planning Area outside of the City. He said that the areas on the southern boundary of the City are included in the Secondary Zone; however they are under the jurisdiction of the County of Sacramento. As of 2002, Elk Grove's land use policies reflect the County of Sacramento's Land Use Policies. He said the area is a large flood plain area which is constrained by flooding from the Cosumnes River.

Commissioner van Loben Sels asked if the City's Planning Area extends into The Nature Conservancy lands. He also asked why the City doesn't pull back from the edge of the Primary Zone with their Planning Area. Mr. Norris said he did not believe the City extended into TNC areas, but the City of Elk Grove was working cooperatively with The Nature Conservancy with open space issues. He further stated that when planning the city they used first physical boundaries, however, they did not use the Commission's boundaries because they felt they would not be moving into the Primary Zone.

Chairman McCarty asked if the City was respecting the County's plan, which is part of the Commission's plan, then why wasn't the City respecting the Commission's jurisdictional boundaries. Mr. Norris responded that those lands were outside of Elk Grove's jurisdiction; however, if they came into Elk Grove's jurisdiction those areas would be added to the Elk Grove General Plan, but EG has no intention of going into the Commission's jurisdiction.

Commissioner Curtis stated that it was his understanding that the City of Elk Grove was unable to provide mitigation for some endangered species impacts. He asked if the City was trying to designate a Sphere of Influence (SOI) as mitigation land for endangered species instead of leaving it under the County's jurisdiction. Mr. Norris responded that this was not the case since the land in question was Planning Area land, not sphere of Influence land, which are two different things. He said that in October 2000, the City went before the Local Agency Formation Commission (LAFCO) for an application for a SOI that included all areas, but worked with the LAFCO to come back with a scaled back application. However, the only part of the application that went forward was the area of Laguna West. He said the City has an application on hold with the LAFCO that proposes to include areas close to Grant Line Road (north of Highway 99), which are inside the County's urban service boundary but outside of the Commission's jurisdiction. Commissioner Curtis stated that the Department of Fish and Game was concerned with the area that overlaps with the Stone Lakes National Wildlife refuge because of the Pacific Flyway and large number of endangered species. He asked how the City's Planning Area deals with the area and potential mitigation for current growth of Elk Grove. Mr. Norris said that the City only addresses the planning areas from a land use perspective and their land use is the same as that of the Sacramento County's. He said that they are mitigating the loss of habitat in Elk Grove by collecting increased fees for the Swainson Hawk and the loss of agricultural land, and investigating the purchase of easements through entities like The Nature Conservancy.

Commissioner McGowan commented that expansion of a new city usually causes great consternation with the neighbors and the Commission should make responses on the impending fears.

Commissioner Coglianese stated that the Commission must come to terms with the fact of extensions of authority of other jurisdiction in the Primary Zone that could lead to urbanization. She asked what the City's rationale was for entering the Primary Zone with potentially urbanizing change in its Planning Area. Mr. Norris responded that the Planning Area is not an area the City of Elk Grove wants to include in its SOI now or in the future; nor does it believe the only reason for including an area in a city is to urbanize it.

Commissioner McGowan commented that he felt it was wrong and a mistake for the City of Elk Grove to include areas in the Primary Zone in its Planning Area. He said the Commission should not sit by quietly and allow this to happen and the City should be subject to the Delta Protection Act. Mr. Norris responded that he understood what was being said and suggested that the Commission have staff write a letter to the Elk Grove City Council to express their concerns. He said this was not a concern that the Council had heard before; therefore, it could consider revising the map at a future planning cycle to scale back the Planning Area to exclude anything in the Primary Zone.

Commissioner Beltran said that the City of Elk Grove was "stirring the pot" with its plan. He said that a lot of what was happening is a result of cities doing thing like this, without answering the question of "why" they are doing it. The City of Elk Grove was making it very difficult to be defended when they cannot answer the question as to why they are including land in the Primary Zone in their planning area. He said that in order to put the Commission at ease, the City of Elk Grove should write a letter to the Commission stating its reasoning for including those lands. He said they should keep in mind that they are a new city and to think this decision through because what they do affects what happens in other cities, because the Legislature is closely monitoring everything going on in the Primary and Secondary Zones. He said they should give this area up, or submit Letter of Intent.

Commissioner van Loben Sels stated that the Commission should not only send a letter to the City of Elk Grove but also send representatives from RD 744, the Stone Lakes National Wildlife Refuge, the Cosumnes River Preserve and Commission staff to meet with City. Mr. Norris said the best venue for any discussion would be at the City Council meeting and he would put Ms. Aramburu in touch with the City Clerk to schedule a presentation on the Agenda.

Commissioner Cabaldon commented that this would be a simpler issue, but since the City of Elk Grove is not a participant in the Blueprint Project the situation is ambiguous. He said he felt Commissioner McGowan's assessments were on target. He said he is concerned, but if it gets to the point of a SOI application then the Commission could block the application. He said he respected what the City of Elk Grove is trying to do, but some of the messages heard by other cities is not helpful. He said part of the problem is that Elk Grove is the fastest growing city in the State of California. He said that sending a constructive letter expressing the Commission's concerns would help avoid the possibility of a conflict down the road.

Chairman McCarty said he agreed with Commissioner's McGowan and Cabaldon. He said he is concerned because the Commission has seen this before, most recently with the City of Stockton. He also said the City of Elk Grove has an opportunity to take a leadership role and bring reason to the process. Moreover, the City should recognize that Interstate 5 is a natural barrier that is not

going away, the Primary Zone has been designated by the State as "off limits" and the City's focus should be on the Secondary Zone.

Chairman McCarty convened the public hearing.

Russell van Loben Sels, Reclamation District 744 trustee, suggested that the expansion of boundaries is not needed. He said that the City of Elk Grove should be encouraged to adopt the natural boundaries of Interstate 5, and the Stone Lakes Wildlife Refuge. He said he would be happy to go to the Elk Grove City Council to relay the message.

John Bohl, Clarksburg resident, said that the City of Elk Grove is making a mistake as it relates to market value on lands that they may choose to acquire in easements. He said the perception that they have overlain some boundaries is going to raise the expectations of landowners and raise the costs of the easements. He referenced a Sacramento Bee article that said that one of the biggest problems in the City of Elk Grove is acquiring affordable mitigation land. He urged the City to make an amendment to the Planning Area and delete it.

Chairman McCarty closed the public hearing

It was moved by Commissioner Beltran and seconded by Commission Cabaldon that Commission staff write a letter to the Elk Grove City Council to have a meeting with the Commission for the City to reconsider its inclusion of its planning area within the Primary Zone, and based on that action, follow up that meeting with another meeting between the Commission, the City Council and the Mayor of Elk Grove. The motion was approved by voice vote. Commissioner van Loben Sels abstained.

Commissioners McGowan and Cabaldon volunteered to meet with the City of Elk Grove.

***Note: The following information was in the May 2004 staff report:***

**CITY BACKGROUND:**

The City was incorporated in July 2000. The City adopted its new General Plan on November 19, 2003.

**LOCATION OF THE CITY OF ELK GROVE:**

The City limits lie south of the City of Sacramento and north of Kammerer Road. The City is bounded on the west by I-5 and includes lands east of Highway 99. The City recently annexed the Laguna West area. The City is east of the Primary Zone of the Delta, however, a very small area along I-5 and north of Elk Grove Boulevard is in the Secondary Zone.

**REVIEW BY DELTA PROTECTION COMMISSION:**

The Commission's law requires that local governments ensure that their general plans are consistent with the Commission's regional plan ***for lands in the Primary Zone***. While the current City of Elk Grove city limits do not include any areas in the Primary Zone, the City's newly adopted General Plan does include and discuss lands in the Primary Zone.

The General Plan Introduction, p. 5, states:

*Two-Tiered Planning: In addition to planning for Elk Grove, this General Plan Addresses a "Planning Area" outside the city limits. This Planning Area was defined during the process of applying to the Sacramento County Local Agency Formation Committee for a Sphere of Influence; it represents the area which the City envisions may ultimately be included either in a Sphere of Influence or in the incorporated city limits.*

*While the City has no jurisdiction over the determination of land use policy in adjacent areas, it can advise the County on land use policy. Outside the city limits, therefore, this General Plan is purely advisory, although it does provide a statement of the uses the City desires in these areas.*

*Reflecting the limit of the City's authority to regulate land uses outside its current corporate boundaries, this General Plan provides land use and other policy direction in the following manner:*

- For the area within the city limits and within the area currently proposed by the City to be included within its Sphere of Influence...this General Plan provides a detailed Land Use Policy Map and other specific policies relating to land use and other issues. (The City in November 2000 applied to the Sacramento County LAFCO for approval of a Sphere of Influence which includes these areas...)*
- For the area outside the city limits, this General Plan provides land use designations at a more conceptual level; because the City does not have land use authority in these areas, detailed land use categories have not been assigned, and the policies of this General Plan with regard to other issues (Circulation, housing, noise, etc.) are advisory only and are intended to be*



*considered by the County of Sacramento in its review and approval of development projects and other matters in this larger "planning area".*

**PROCESS IF THE CITY ADDS LANDS IN THE PRIMARY ZONE TO THE CITY LIMITS:**

As discussed previously, if the City does incorporate lands in the Primary Zone in the city limits, the City will have to submit its General Plan to the Commission for review and a determination of consistency. When the Commission reviews a local government General Plan, the Commission must approve the local general plan by a majority vote of the Commission membership (ten votes) after making all of the following written findings regarding the general plan and any development approved or proposed that is consistent with the General Plan (Public Resources Code, Section 29763.5):

- Consistent with the regional plan (Land Use and Resource Management Plan for the Primary Zone of the Delta).
- Will not result in wetland or riparian loss.
- Will not result in the degradation of water quality.
- Will not result in increased nonpoint source pollution.
- Will not result in the degradation or reduction of Pacific Flyway habitat.
- Will not result in reduced public access, provided the access does not infringe on private property rights.
- Will not expose the public to increased flood hazard.
- Will not adversely impact agricultural lands or increase the potential for vandalism, trespass, or the creation of public or private nuisances on public or private land.
- Will not result in the degradation or impairment of levee integrity.
- Will not adversely impact navigation.
- Will not result in any increased requirements or restrictions upon agricultural practices in the Primary Zone.

**DESCRIPTION OF THE CITY OF ELK GROVE:**

The City of Elk Grove's planning area includes 93,560 acres in southern Sacramento County. The City limits include 26,910 acres (42 square miles); this includes the area known as Laguna West that was recently annexed into the City. The City and planning area are bounded by the Stone Lakes National Wildlife Refuge and the Sacramento River to the west, the Cities of Sacramento and Rancho Cordova to the north and the Cosumnes River to the south east. Within the larger planning area lie the unincorporated community of Hood, to the west, and the area known as Point Pleasant, to the south. The City has two major north-south freeways--I-5 and 99. Several large east-west expressways connect these two highways.

**DESCRIPTION OF PRIMARY ZONE LANDS WITHIN THE CITY LIMITS:**

There are no lands in the existing city limits in the Primary Zone. However, substantial lands west of I-5, south of the City of Sacramento and north of Twin Cities Road are identified as "Planning Area" and included on maps in the City's General Plan.

The Elk Grove General Plan Glossary (p. 188) defines Planning Area as "the area directly addressed by the general plan. A city's planning areas typically encompasses the city limits and potentially annexable land within its sphere of influence."

**CURRENT GENERAL PLAN DESIGNATIONS (SACRAMENTO COUNTY):**

Lands west of I-5 are located in Sacramento County. The General Plan designation is "Agricultural Cropland".

**CURRENT ZONING (SACRAMENTO COUNTY):**

Lands lying west of I-5, and bounded by Elliott Ranch Road and Hood Franklin Road are zoned RR(F), Recreation Reserve, with Flood overlay. Other lands to the north and south of the RR area, and west of I-5 are zoned AG-80(F), Agriculture with 80 acre minimum parcel with Flood overlay.

**CITY OF ELK GROVE GENERAL PLAN DESIGNATIONS:**

The Planning Area Land Use Concept Map (attached) identifies the lands west of I-5 as "Open Space Reserve and Limited Development--Constrained by flooding."

**CITY OF ELK GROVE ZONING:**

As the lands in the Planning Area are not in the City limits, the City has not adopted any zoning for lands in the "Planning Area".

**CITY OF ELK GROVE GENERAL PLAN POLICIES REGARDING THE PRIMARY ZONE OF THE DELTA:**

*(Note: Text in italic is quoted from the City of Elk Grove General Plan)*

**CONSERVATION AND AIR QUALITY ELEMENT:**

***Sacramento River Delta (page 43):***

*Although not within the current incorporated boundaries of Elk Grove, a portion of the Sacramento River Delta is inside the larger Planning Area of the General Plan...Therefore, the City's long-term land use policies will require coordination with the Delta Protection Commission (a state agency) once these lands are included within the corporate boundary of Elk Grove.*

***Mission Statement:***

*The mission of the Commission is to guide the protection of the Delta's unique natural quality, cultural viability, economic vitality, and recreational opportunity through:*

- Protection maintenance, and enhancement and restoration of the overall quality of the Delta environment including agriculture, wildlife habitat, and recreational activities;*
- Assurance of orderly, balanced conservation and development of Delta land resources;*
- Improvement of flood protection to ensure an increased level of public health and safety.*

***Vision Statement:***

*The vision of the Delta Protection Commission is a region in which the essential land uses and unique natural qualities flourish in self-sustaining harmony.*

***Conservation Policies: Conservation of Agricultural Uses:***

**CAQ-3:** *The City of Elk Grove considers the only mitigation for the loss of agricultural land to consist of the creation of new agricultural land in the Sacramento region equal in area, productivity, and other characteristics to the area which would be lost due to development. The protection of existing agricultural land through the purchase of fee title or easements is not considered by the City to provide mitigation since programs of this type result in a net loss of farmland.*

**CAQ-4:** *While agricultural uses are anticipated to be phased out within the city limits, the City recognizes the right of these uses to continue as long as individual owners/farmers desire. The City shall not require buffers between farmland and urban uses, relying instead on the following actions to address the impacts of farming on urban uses:*

*Action 1: Implement the City "Right to Farm" Ordinance.*

*Action 2: Prospective buyers of property adjacent to agricultural land shall be notified through the title report that they could be subject to inconvenience or discomfort resulting from accepted farming activities as per provisions of the City's right-to-farm ordinance.*

***Conservation Policies: Land within the Primary Zone of the Sacramento River Delta:***

**CAQ-6:** *Within the Primary Zone of the Legal Delta...the City's land use and other policies shall conform with the "Land Use and Resource Management Plan for the Primary Zone of the Delta" developed by the Delta Protection Commission.*

*Action 1: Coordinate with the Delta Protection Commission by providing updates on the status of any requests by the City to include any lands in the Primary Zone in the City's sphere of influence or incorporated boundaries.*

*Action 2: Prior to the annexation of any land in the Primary Zone of the Legal Delta, ensure that this General Plan is consistent with the Delta Protection Commission's Act and Plan as it affects the area within the Primary Zone.*

***LAND USE ELEMENT:***

***Sphere of Influence and Annexation (page 122):***

*This General Plan provides land use planning for the City and a larger Planning Area. The Planning Area is intended to be an area in which the City has an interest in guiding land use decisions by the County of Sacramento, and is envisioned as the area into which the incorporated city boundaries may eventually expand.*

***Land Use Policies: Areas Outside the Incorporated Area of Elk Grove:***

**LU-12:** *The Land Use Policy Map of the Planning Area (Figure LU-2) provides conceptual land use policy for the area outside the current incorporated boundaries of Elk Grove. This policy is intended as a statement of the City's long-term vision for this area; these lands remain under the jurisdiction of Sacramento County. Except where specifically indicated, the City's land use policy for areas outside the city limits reflects the County of Sacramento's land use policy as it existed on December 31, 2002.*

### ***Land Use Policies: Urban Study Areas***

**LU-17:** *Implement a comprehensive and city-wide strategy for the preservation of open space, habitat and agriculture, both inside and outside the City's existing city limits.*

**Action 1:** *Within 90 days of the adoption of this General Plan, staff shall bring to the City Council for its consideration options available for the strategic funding, acquisition and management of land in and proximate to the City for the purposes of preserving open space, habitat and agriculture.*

### ***PARKS, TRAILS AND OPEN SPACE ELEMENT:***

**Trails and Open Space** (p. 149): *An important component of the community's vision for the future of Elk Grove is the retention of significant amounts of open space in the Planning Area...and the creation of a trails system to link the development portions of Elk Grove with these areas...the City recognizes that there are many important open space resources in the Planning Area, including...the Delta and agricultural areas.*

**PTO-15:** *The City views open space lands of all types as important resource which should be preserved in the region, and supports the establishment of multi-purpose open space areas to address a variety of needs, including, but not limited to:*

- *Maintenance of agricultural uses*
- *Wildlife habitat*
- *Recreational open space*
- *Aesthetic benefits*
- *Flood control*

*To the extent possible, lands protected in accordance with this policy should be in proximity to Elk Grove, to facilitate use of these areas by Elk Grove residents, assist in mitigation of habitat loss within the City, and provide an open space resource close to the urbanized areas of Elk Grove.*

**Action 1:** *Consider the establishment of a citywide fee and/or assessment system which would provide funding for the purchase of open space land or easements and the maintenance of these areas.*

**Action 2:** *Work with the County of Sacramento and other resource agencies to develop a regional open space plan which provides for multiple uses of open space (e.g. agriculture and wildlife foraging).*

**Action 3:** *Consider using funds collected under existing (2003) fee programs (e.g. Swainson's Hawk mitigation and East Franklin Specific Plan agricultural mitigation) to fund this expanded open space program.*

### ***SAFETY ELEMENT***

#### ***Drainage and Flooding (p. 173):***

**SA-13:** *The City shall require that all new projects not result in new or increased flooding impacts on adjoining parcels on upstream and downstream areas.*

**SA-15:** *Development shall not be permitted on land subject to flooding during a 100-year event, based on the most recent floodplain mapping prepared by the Federal Emergency management Agency (FEMA) or updated mapping acceptable to the City of Elk Grove...*

**SA 16:** *A buildable area outside the 100-year floodplain must be present on every residential lot sufficient to accommodate a residence and associated structures. Fill may be placed to create a buildable area only if approved by the City and in accordance with all other applicable policies and regulations. The use of fill in the 100-year floodplain to create buildable area is strongly discouraged, and shall be subject to review to determine potential impacts on wildlife, habitat, and flooding on other parcels.*